PTO/SB/01 (08-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Attorney Docket Number PU4804USw **DECLARATION FOR UTILITY OR** First Named Inventor Lisa Marie SHEWCHUK **DESIGN** COMPLETE IF KNOWN PATENT APPLICATION (37 CFR 1.63) Application Number Declaration Filing Date \_\_\_Declaration Submitted Submitted after Initial Art Unit with Initial Filing (surcharge) Filing (37 CFR 1.16 (e)) **Examiner Name** required) I hereby declare that: Each inventor's residence, mailing address, and citizenship are as stated below next to their name. I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ERBB4 CO CRYSTAL** (Title of the Invention) the specification of which is attached hereto was filed on (12/20/2004) as United States Application Number or PCT International Application Number PCT/US2004/001291 and was amended on (MM/DD/YYYY) (if applicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-Inpart applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. **Prior Foreign Application** Country Foreign Filing Date **Priority Not Certified Copy Attached?** Number(s) (MM/DD/YYYY) Claimed YES NO Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02/B attached hereto: [Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION	– Utility or		Application
	Number 23347		Correspondence address below
Name			
Address			
City			
		State	ZIP
Country	Telephone		Fax
I hereby declare that all statements made hereing belief are believed to be true; and further that the like so made are punishable by fine or imprisonming jeopardize the validity of the application or any particular or solutions.  NAME OF SOLE OR FIRST INVENTOR:	se statements were ent, or both, under tent issued thereon	made with the knowle 18 U.S.C. 1001 and th	edge that willful false statements and the at such willful false statements may
Given Name	A petition ha	s been filed for this un	signed inventor
(first and middle [if any])		Family Name Or Surname	
Lisa, Marie		SHEWCHUK	
Inventor's		1	Date
Signature			
Residence: City	State	Country	Citizenship
Durham	NC	us	CA
Mailing Address			197
c/o GlaxoSmithKline, Five Moor	n Drive PO	Boy 12200	
City	State	ZIP	Country
December Triangel B. J.			Country
Research Triangle Park NAME OF SECOND INVENTOR:	NC NC	27709	US
Given Name	A petition has	been filed for this uns	igned inventor
(first and middle [if any])		Family Name Or Surname	
Anne Moore		HASSELL	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Durham	NC	us	us
Mailing Address			
c/o GlaxoSmithKline, Five Moon	e Drive. PO I	Box 13398	
City	State	ZIP	Country
Research Triangle Park	NC	27709	US
Additional inventors are being named on the	pplemental Additiona	Inventor(s) sheet(s) PT	O/SB/02S or 02LR attached hereto

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DECLARATION	ADDITIONAL INVENTOR(S)				
		Supplemental Sheet Page 3 of 3			
Name of Additional Joint Inventor, if any:					
Given Name (first and middle (if a	ny])		Name or Surname		
Perry, Scott		BRIGNOLA			
Inventor's Signature x			Date x 06/23/05.		
Residence: City Alpharetta	State GA	Country US	Citizenship US		
Mailing Address 11850 Brisbane Drive					
City Alpharetta	State GA	ZIP 30004	Country US		
Name of Additional Joint Inventor, if any:		A petition has been filed for	r this unsigned inventor		
Given Name (first and middle [if an	y])	Family Name or Surname			
Inventor's Signature			Date		
Residence: City	State	Country	Citizenship		
Mailing Address					
City	State	ZIP	Country		
Name of Additional Joint Inventor, if any:		A petition has been filed for	this unsigned inventor		
Given Name (first and middle [if any	1)	Family Name or Sumame			
Inventor's Signature x			Date is		
Residence: City	State	Country	Citizenship		
Mailing Address					
City	State	Zip	Country		

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DECLARATION FOR UTILITY OR DESIGN		Attorney Docket Number	PU4804	USw				
		First Named Inventor	Lisa Ma	arie SHEWCHUK				
	PATENT APPLICATION (37 CFR 1.63)		COMPLETE IF KNOWN					
(37 CFR								
Declaration Submitted OR	Declaration Submitted after Initial	Filing Date						
with Initial	Filing (surcharge)	Art Unit						
Filing	(37 CFR 1.16 (e)) required)	Examiner Name						
I hereby declare that:								
Each inventor's residence, maili	ng address, and citizenship	are as stated below next t	o their name.					
I believe the inventor(s) named which a patent is sought on the	below to be the original and invention entitled:	first inventor(s) of the subj	ect matter whic	h is claimed and for				
ERBB4 CO CRYSTAL								
·				*				
	• (	(Title of the Invention)						
the specification of which								
is attached hereto								
OR was filed on (12/20/2004)	as United States Applicati	on Number or PCT Interna	tional					
Application Number PCT/US20	004/001291 and was ame	ended on (MM/DD/YYYY)	(if applicable).					
I hereby state that I have reviewe by any amendment specifically re	ed and understand the conte	ents of the above identified	specification, ir	ncluding the claims, as amended				
I acknowledge the duty to disclos part applications, material informa international filing date of the con	e information which is mate ation which became availab tinuation-in-part application	he between the filing date of	the prior appli	cation and the national or PCT				
I hereby claim foreign priority ben plant breeder's rights certificate(s the United States of America, lis inventor's or plant breeder's rights on which priority is claimed.	ted below and have also in	dentified below by short	cn designated a	at least one country other than				
Prior Foreign Application	Country		Priority Not					
Number(s)	·	(MM/DD/YYYY)	Claimed	Certified Copy Attached? YES NO				
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j								
Additional foreign application	numbers are listed on a su	pplemental priority data sh	eet PTO/SB/02/	B attached hereto:				
	TE .	Page 1 of 21						

[Page 1 of 2]

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DECLARATIO			tion unless it contains a valid OMB control numb  Application
	ner Number 23347	OR [	Correspondence address below
Name			
Address			
City		Tour	
Sil, y		State	ZIP
Country	Telephone		Fax
I hereby declare that all statements made herein belief are believed to be true; and further that the like so made are punishable by fine or imprison- jeopardize the validity of the application or any p	ese statements were ment, or both, under 1	made with the knowled 8 U.S.C. 1001 and the	doe that willful folco otatomonto ut-
NAME OF SOLE OR FIRST INVENTOR:	A petition has	been filed for this un	signed inventor
Given Name		Family Name	
(first and middle [if any])		Or Surname	
Lisa, Marie		SHEWCHUK	
Inventor's Signature	lub	,	Date 1, 1, 2, 3 1, 75
Residence: City	State	Country	Citizenship
Durham	NC	us	CA
Mailing Address			
c/o GlaxoSmithKline, Five Mod	ore Drive, PO	Box 13398	
City	State	ZIP	Country
Research Triangle Park	NC	27709	1.10
NAME OF SECOND INVENTOR:			US
Given Name	A petition has	been filed for this unsi Family Name	gned inventor
first and middle [if any])		Or Surname	
Anne Moore		HASSELL	
nventor's Signature			Date
Residence: City	State	Country	Citizenship
Durham	NC	us	us
Mailing Address			
lo GlaxoSmithKline, Five Moo	re Drive, PO E	3ox 13398	
City	State	ZIP	Country
esearch Triangle Park	NC	27709	us
Additional inventors are being named on the	supplemental Additional		0/SB/02S or 02LR attached hereto

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DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3		
Name of Additional Joint Inventor, if any:		A pe	s unsigned inventor		
Given Name (first and middle [if any	<b>1</b> )		Family Name		
Perry, Scott		BRI	IGNOLA		
Inventor's Signature x				Date x	
Residence: City Alpharetta	State GA	Country US		Citizenship US	
Mailing Address 11850 Brisbane Drive	<del>, _</del>		· · · · · · · · · · · · · · · · · · ·		
City Alpharetta	State GA		ZIP 30004	Country US	
Name of Additional Joint Inventor, if any:		A pe	tition has been filed for this	unsigned inventor	
Given Name (first and middle [if any]	)	Family Name or Surname			
Inventor's Signature				Date	
Residence: City	State		Country	Citizenship	
Mailing Address					
City	State		ZIP	Country	
Name of Additional Joint Inventor, if any:		A peti	ition has been filed for this	unsigned inventor	
Given Name (first and middle [if any])	)	Family Name or Surname			
<del></del>					
Inventor's Signature x				Date x	
Residence: City	State Country		Country	Citizenship	
Mailing Address					
City	State		Zip	Country	

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		Attomey Docket Number	PU4804		S CONTROL HUMBER
DECLARATION FO		First Named Inventor	Lisa Ma	rie SHEWCHUK	
DESIG PATENT APPL			COMPLETE IF	KNOWN	<u></u> -
	(37 CFR 1.63)			<u>-</u>	
Declaration	Declaration	Filing Date			
Submitted OR with Initial	Submitted after Initial Filing (surcharge)	Art Unit			
Filing	(37 CFR 1.16 (e)) required)	Examiner Name			
I hereby declare that:					
Each inventor's residence, maili	ng address, and citizenship	o are as stated below next to	o their name.		
I believe the inventor(s) named t	below to be the original and	d first inventor(s) of the subi	ect matter which	n is claimed and for	
which a patent is sought on the i	invention entitled:				
ERBB4 CO CRYSTAL			•		
		(Title of the Invention)			
the specification of which					
is attached hereto					
OR					
was filed on (12/20/2004)	as United States Applicat	ion Number or PCT Interna	tional		
Application Number PCT/US20	004/001291 and was am	ended on (MM/DD/YYYY)	(if applicable).		
I hereby state that I have reviewe	ed and understand the cont	ents of the above identified	specification, in	cluding the claims,	as amended
by any amendment specifically re	elerred to above.				
I acknowledge the duty to disclos	e information which is mate	erial to patentability as defin	ned in 37 CFR 1	.56, including for co	ontinuation-In-
part applications, material informational filing date of the con	itinuation-in-part application	٦.			
I hereby claim foreign priority ber	nefits under 35 U.S.C. 119(	a)-(d) or (f), or 365(b) of an	y foreign applica	ation(s) for patent,	inventor's or
plant breeder's rights certificate(sthe United States of America, list	sted below and have also	identified helow, by checking	na the have any	fornian application	- for11
inventor's or plant breeder's right on which priority is claimed.	s certificate(s), or any PCT	international application ha	aving a filing dat	te before that of the	application
Prior Foreign Application	Country	Foreign Filing Date	Priority Not	Certified Copy	Attached2
Number(s)		(MM/DD/YYYY)	Claimed	YES	NO
Additional foreign application	numbers are listed on a si	upplemental priority data sh	eet PTO/SB/02/	B attached hereto:	-

[Page 1 of 2]

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DECLARAT	ION — Utility o			
	stomer Number 233			spondence address below
Name				
Address				
City		State		ZIP
Country	Telephone	<del></del>		Fax
I hereby declare that all statements made helief are believed to be true; and further the like so made are punishable by fine or imprigeopardize the validity of the application or a	at these statements we sonment, or both, und any patent issued there	ere made with the	knowlodge that wi	HELLEN A ALL
NAME OF SOLE OR FIRST INVENTO	R: A petition	has been filed for	this unsigned inve	entor
Given Name (first and middle [if any])		Family Na		
(mat and middle [it any])		Or Surna	me	
Lisa, Marie	•	SHEWCH	IUK	
Inventor's Signature				Date
olgitature .				
Residence: City	State	Cour	ntry	Citizenship
Durham	NC	us		CA
Mailing Address				104
c/o GlovoSmithKlin - Fig. 1				
c/o GlaxoSmithKline, Five M			98	
City	State	ZIP		Country
Research Triangle Park	NC	277	na	us
NAME OF SECOND INVENTOR:			this unsigned inven	
Given Name	A peddon i	Family Na		tor
(first and middle [if any])		Or Surnan		
Anne Moore		HASSELL		
nventor's				Date
Signature Whil Moou Residence: City	e Tarro	')		06-23-05
Residence: City	State	Count	try	Citizenship
Durham	NC	Us		US
Mailing Address	<u> </u>			03
c/o GlaxoSmithKline, Five M	oore Drive. PC	) Box 1339	R	
City	State	ZIP	<u> </u>	Country
Research Triangle Park	NC	2770	9	US
Additional inventors are being named on the			et(s) PTO/SB/02S or	

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DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3			
Name of Additional Joint Inventor, if any:	ĺ	ДАр	A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any	<i>(</i> 1)	T		e or Surname		
Perry, Scott		BR	IGNOLA			
Inventor's Signature x		•		Date x		
Residence: City Alpharetta	State GA		Country US	Citizenship US		
Mailing Address 11850 Brisbane Drive	<del></del>					
City Alpharetta	State GA		ZIP 30004	Country US		
Name of Additional Joint Inventor, if any:		] А ре	etition has been filed for this	s unsigned inventor		
Given Name (first and middle [if any]	)	<del> </del>	Family Name or Surname			
Inventor's Signature				Date		
Residence: City	State		Country	Citizenship		
Mailing Address			.1	.1		
City	State		ZIP	Country		
Name of Additional Joint Inventor, if any:		A pet	ition has been filed for this	unsigned inventor		
Given Name (first and middle [if any])			Family Name or Surname			
		Ĺ				
Inventor's Signature x	,			Date x		
Residence: City	State		Country	Citizenship		
Mailing Address						
City	State		Zip	Country		

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## **POWER OF ATTORNEY** and **CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	
	To be assigned
Filing Date	
First Named Inventor	Lisa Marie SHEWCHUK
Title	ERBB4 CO-CRYSTAL
Art Unit	
Examiner Name	
Attorney Docket Number	PU4804USw

I hereby ap	point:			·				
$\boxtimes$	Practitioner with the Cu Number:	rs associated estomer	23347		-			
OR				···		_		
	Practitioner	r(s) named below:						
		Name :			Registration	Number		
as my/our Trademark	attorney(s) or Office connec	r agent(s) to prosecute cted therewith.	e the application identi	fied above, and to	transact all busin	ess in the United States	Patent and	
Please reco	gnize or cha	nge the corresponden	ce address for the abo	ove-identified applic	cation to:			
│	he address a	ssociated with the abo	ove-mentioned Custom	er Number:				
OR OR OR	he address a	ssociated with Custor	ner Number: 2	3347				
	Firm or Individual N	ame						
	Address				<del></del>			
	City			State				
	Country			·				
I am the:	Telephone			Fax				
	Applicant/Ir	nventor.	-		1			
$\boxtimes$	Assigned of record of the antire interest. See 27 CED 2.74							
		s	IGNATURE of Applic	ant or Assignee o	f Record			
Signature		Robert	H. Brins		Date	July 19, 2005		
Name		Robert H. BRINK			Telephone	919-483-3323		
Title and Co			HAM CORPORATION					
NOTE: Signat signature is re	ures of all the in quired, see bel	nventors or assignees of low*.	record of the entire intere	st or their representat	tive(s) are required	. Submit multiple forms if mo	ore than one	
$\boxtimes$	*Total of	forms ar	e submitted.					

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## **Power of Attorney**

BY THIS POWER OF ATTORNEY given this 23rd day of February two thousand and five SMITHKLINE BEECHAM CORPORATION, a company incorporated in Pennsylvania (Registration No. 3330395) and having its registered office at One Franklin Plaza, P.O. Box 7929, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, HUGH BAINFORDE DAWSON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, PETER I. DOLTON, HELEN KAYE QUILLIN, MARCUS JONATHAN WILLIAM DALTON, CHARLES M. KINZIG, STEPHEN VENETIANER. THEODORE R. FURMAN, MARY E. McCARTHY, EDWARD R. GIMMI, CHARLES EDWARD DADSWELL, ROBERT H. BRINK, and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

- In any country or countries or jurisdiction in any part of the world to make application
  or cause application to be made for the grant or issue or transfer to the Company or
  registration in its name of Intellectual Property Rights and to take all steps necessary
  for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended
  or extended.
- 2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
- 3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sublicences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
- 4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
- To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.

- For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent, including trademark and patent agents and attorneys, to act on behalf of the Company.
- To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
- 8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
- 9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.
- 10. This Power of Attorney shall expire on December 31, 2006

AND THE COMPANY HEREBY RATIFIES and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

AND THE COMPANY HEREBY DECLARES that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

IN WITNESS whereof SMITHKLINE BEECHAM CORPORATION has caused its Common Seal to be hereunto affixed the day and year first before written

The COMMON SEAL of SMITHKLINE BEECHAM CORPORATION was hereto affixed in the presence of:

Donald F. Parman

Vice President and Secretary